

*52-50109
Clerk*
SOUTHERN

DISTRICT OF

TEXAS OCT 25 2004U.S. MAGISTRATE COURT
MCN - SDTX
FILEDUNITED STATES OF AMERICA
V.

/Mitchell GARCIA - DOB (09/03/1982)
 4107 Totem Pole
 Laredo, Texas 78045
 See Attachment A
 (Name and Address of Defendant)

CRIMINAL COMPLAINT

Case Number:

L04-10273 M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about October 22, 2004 In Webb County, in the Southern District of Texas Defendant(s) did,

(Track Statutory Language of Offense)

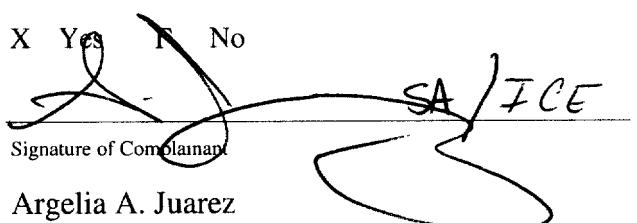
Knowingly, willfully and unlawfully import from a place outside the United States, to wit; the Republic of Mexico to a place in the United States, to wit; Laredo, Texas, a controlled substance listed under Schedule II, of the Controlled Substance Act, to wit; approximately 58.8 kilograms, gross weight, of cocaine. Furthermore, the defendant(s) did knowingly and unlawfully possessed with intent to distribute the above listed marijuana,

in violation of Title 21 United States Code, Section(s) 952; 841(a)(1).

I further state that I am a(n) Special Agent, U.S./ICE And that this complaint is based on the following facts:

SEE ATTACHMENT A

Continued on the attached sheet and made a part of this complaint:

 Yes No
 

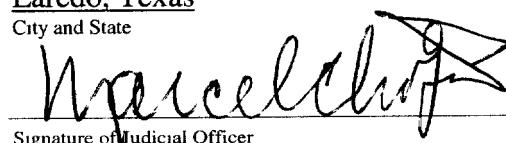
 Signature of Complainant
 Argelia A. Juarez
 Printed Name of Complainant

Sworn to before me and signed in my presence,

October 25, 2004
 Date

Marcel C. Notzen, U. S. Magistrate Judge
 Name and Title of Judicial Officer

 At Laredo, Texas
 City and State


 Signature of Judicial Officer

"ATTACHMENT A"

I am a Special Agent of Immigration and Customs Enforcement (ICE) and I have knowledge of the following facts:

1. On October 22, 2004, Mitchell GARCIA entered the United States via the Laredo, Texas, International Bridge I, driving a 1989 Chevrolet Pick-Up bearing TXUS/95SRV1
2. During a primary inspection conducted by a United States Customs and Border Protection (CBP) officer, GARCIA gave a negative declaration and stated that he was the owner of the vehicle. During this interaction, a narcotic detector canine positively alerted to the odor of narcotics emanating from the side panels of the vehicle. The CBP officer referred GARCIA for a Customs secondary inspection.
3. Secondary inspection of the vehicle revealed 49 bundles of a white powdery substance, which field-tested positive for cocaine. The cocaine had an approximate weight of 58.8 kilograms.
4. GARCIA was read the Miranda Warning in the English Language. GARCIA waived his rights and agreed to answer questions. GARCIA stated he was going to get paid one hundred dollars (\$100.00) to drive the aforementioned vehicle into the United States. GARCIA stated he was responsible for what happened and he knew he had made a bad choice.
5. Federal prosecution was accepted for GARCIA. ICE Special Agents arrested GARCIA and subsequently transported him to the Webb County Detention Center, Laredo, Texas.